

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

In re:	)	
	)	Bankruptcy Case
DAGMAR I. KERN	)	No. 18-13273-BFK
and	)	
HANS P. KERN,	)	
	)	
Debtors.	)	Chapter 7
<hr style="width: 50%; margin-left: 0;"/>		
LEHMAN XS TRUST MORTGAGE	)	
PASS-THROUGH CERTIFICATES, SERIES	)	
2006-GP2, U.S. BANK NATIONAL	)	
ASSOCIATION, AS TRUSTEE,	)	
	)	
Movant,	)	
	)	
v.	)	
	)	
DAGMAR I. KERN	)	
and	)	
HANS P. KERN,	)	
	)	
Debtors,	)	
	)	
and	)	
	)	
H. JASON GOLD,	)	
	)	
Trustee,	)	
	)	
Respondents.	)	

**TRUSTEE’S RESPONSE AND OPPOSITION TO MOTION FOR RELIEF FROM STAY**

COMES NOW, H. Jason Gold, the chapter 7 trustee (“Trustee”), and files this response and opposition to the Motion for Relief from Automatic Stay (the “Motion”), stating to the Court

as follows:

1. As reflected on Schedule A, the Debtor owns real property commonly identified as 15238 Louis Mill Drive, Chantilly, Virginia 20151 (the “Property”).

2. The Section § 341 Meeting of Creditors is scheduled for November 5, 2018. Until such time as the Trustee completes his investigation of the value of the Property and validity of the liens asserted against the Property, the Trustee opposes the relief from the automatic stay sought in the Motion.

3. The Trustee lacks sufficient information to form a response to the allegations in the Motion that cause exists to grant the relief sought in the Motion and therefore denies the same and demands strict proof.

4. UPON THE TRUSTEE’S FILING OF A REPORT OF NO DISTRIBUTION, THE MOVANT AND THE COURT MAY DEEM THE TRUSTEE’S OPPOSITION AS WITHDRAWN AND GRANT WHATEVER RELIEF THE COURT DEEMS APPROPRIATE.

WHEREFORE, having responded to the Motion, the Trustee prays (i) that the Court continue the hearing on the Motion until such time as the Trustee has had a chance to assess the value of the subject collateral and validity of the liens asserted against the subject collateral; (ii) that in the event that the Trustee files a Report of No Distribution, that the Trustee’s opposition be deemed withdrawn; and (iii) for such other and further relief as may be necessary.

Respectfully submitted,

H. JASON GOLD, TRUSTEE

H. JASON GOLD, TRUSTEE  
101 Constitution Avenue, NW, Suite 900  
Washington, DC 20001  
Telephone: (202) 712-2800  
Facsimile: (202) 712-2860

By: /s/ H. Jason Gold  
H. Jason Gold, Va. Bar No. 19117

*Chapter 7 Trustee*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 11<sup>th</sup> day of October 2018 the foregoing Trustee's Response and Opposition to Motion for Relief from Stay was served via Notice of Electronic Filing CM/ECF and pursuant to applicable Standing Order upon:

Mary F. Balthasar Lake  
SHAPIRO & BROWN, LLP  
501 Independence Parkway, Suite 203  
Chesapeake, VA 23320

Office of the US Trustee  
1725 Duke Street, Ste. 650  
Alexandria, VA 22314

Robert R. Weed  
LAW OFFICES OF ROBERT WEED  
1376 Old Bridge Rd Suite 101-4  
Woodbridge, VA 22192

Dagmar I Kern  
15238 Louis Mill Dr  
Chantilly, VA 20151-1317

Hans P Kern  
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Chantilly, VA 20151-1317

/s/ H. Jason Gold  
H. Jason Gold